REMARKS

Claims 1, 3-10 and 12 are pending in the present application, claims 2 and 11 having been cancelled herein and claim 12 having been added. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Applicant notes the Examiner's indication that the certified copy of the priority application had not been submitted. The Examiner is thanked for his careful attention to this detail. A copy of the certified priority document is attached.

The drawings were objected to due to a number of informalities. Applicant is submitting replacement sheets for figures 1A, 1B, 3A, 3B, 3C, 4, 5 and 6 herewith. These corrections overcome the Examiner's objection. Marked-up copies of the original drawings are also attached showing the corrections made on the replacement sheets. Withdrawal of this objection is respectfully requested.

The specification was objected to due to a number of informalities. The specification has been amended in order to correct these informalities. Withdrawal of the objection is respectfully requested.

Claims 1-11 were rejected under 35 U.S.C. § 102(e) as being anticipated by Fee et al (US Patent No. 5,726,788). Claims 1-11 were also rejected under 35 U.S.C. § 102(e) as being further anticipated by Tervonen (International Publication No. WO 00/28670). These rejections are respectfully traversed for the following reasons.

Claim 1 recites a module for arbitrary configuring/reconfiguring topology of optical networks, being a pre-manufactured module suitable for insertion into the optical network and comprising at least one optical switching device connectable to an optical network and a plurality of network elements connectable to said at least one optical switching device. The at least one optical switching device is controllable to selectively connect thereto and disconnect therefrom one or more of the elements for switching them in or off the network in a hitless manner, so that if a first connection is to be replaced with a second connection, the switching device is controlled to make the second connection and after that to break the first connection. This is not taught, disclosed, or made obvious by the prior art of record.

Applicant respectfully disagrees with the Examiner's contention that the proposed pre-manufactured reconfigurable module suitable for insertion into the optical network previously recited in claim 2 is equivalent to "all optical components...predesigned before manufacturing." The citation to page 2, lines 8-25 with regard to claim 2, both on page 5, first paragraph; and on page 8, first full paragraph of the Office Action, is not understood. The claimed features must be found in the prior art. If this is a citation to Applicant's specification, it cannot form the basis for an obviousness rejection. If anything else was intended by the citation, clarification is respectfully requested if this rejection is maintained. Moreover, Applicant respectfully disagrees. As the Examiner's point is best understood, while all optical components may be manufactured and thus are designed before manufacturing, the claim calls for a module, which is pre-manufactured and suitable for insertion into an

optical network having particular claimed elements. These elements in a pre-manufactured module are not disclosed in the prior art.

The Examiner has also interpreted the "hitless manner of forming connections (claimed in the original claim 11 and now in claim 1) to be just the quick reconnection of elements in the network such as in the cases of cutting of optical fibers. Applicant respectfully disagrees. The present invention involves, and the claims recite, a hitless manner of insertion of the module in which the operation "make before break" is implemented in the module. In other words, in the proposed module, when preinstalled in a network, if a first connection is to be replaced with a second connection, the switching device is controlled to make the second connection and, after that, to break the first connection. The proposed module allows easy, and most importantly, hitless (i.e., harmless) reconfiguring of the network. Support for this feature can be found in the description of the hitless manner of connection with reference to figures 3A, 3C (page 8, line 14 to page 9, line 3) of Applicant's specification. Applicant respectfully submits that the cited references do not include, describe, or suggest this feature. For at least this reason, Applicant respectfully submits that claim 1 is patentable over the prior art of record.

Claims 3-10 and 12 are believed to be patentable over the prior art of record in and of themselves and as they depend from and include the recitations of claim 1, which is patentable for the reasons discussed above.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and withdrawal

of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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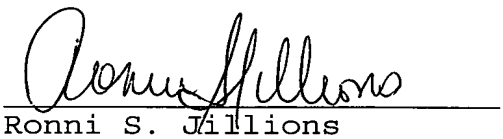
By 
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